

WEST VALLEY CITY, UTAH

RESOLUTION NO. 08-213

A RESOLUTION AUTHORIZING THE CITY TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION AND EXECUTION OF A QUIT CLAIM DEED AND EASEMENT FOR MARK IV APARTMENTS PROPERTY IDENTIFIED AS PARCEL NUMBER 0171:62, 62:E.

WHEREAS, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, entitled “Interlocal Cooperation Act” provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency is authorized by law to perform; and

WHEREAS, the Utah Department of Transportation (“UDOT”) plans to widen 3500 South as part of a project identified as SP-0171(18)6; 3500 South Bangerter Highway to 2700 West, Phase II; and

WHEREAS, as part of the project, UDOT needs to acquire a portion of Mark IV Apartments which is owned by the City; and

WHEREAS, a Right-of-Way Contract (“Agreement”) has been prepared for execution by and between West Valley City and UDOT. The Agreement sets forth the rights, duties and obligations of each of the parties with respect to the conveyance of property and construction of improvements; and

WHEREAS, in addition, a Quit Claim Deed and Easement have been prepared for execution to allow for the construction of said project across the frontage of a parcel identified as parcel number 0171:62, 62:E; and

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to execute said Agreement, Quit Claim Deed and Easement for and on behalf of West Valley City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

1. That the Agreement, Quit Claim Deed and Easement is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said agreement and all other necessary documents for the aforementioned project on behalf of West Valley City, subject to approval of the final form by the City Manager and the City Attorney’s Office.

2. That the Mayor is hereby authorized to execute said Quit Claim Deed and Easement for and in behalf of West Valley City and the City Recorder is authorized to record said Quit Claim Deed and Easement, for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2008.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER